

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT CHATTANOOGA**

UNITED STATES OF AMERICA)
) Case No. 4:15-cr- 13
v.)
) Judge Travis R. McDonough
JOHN CLIFFORD AMAZON)
) Magistrate Judge Susan K. Lee
)

ORDER

Magistrate Judge Susan K. Lee filed a report and recommendation recommending the Court: (1) grant Defendant's motion to withdraw his not guilty plea to Count One of the three-count Indictment (2) accept Defendant's plea of guilty to the lesser offense of the charge in Count One of the Indictment, that is of conspiracy to distribute and possess with intent to distribute five grams or more of methamphetamine (actual), a Schedule II controlled substance, in violation of 21 U.S.C. §§ 846, 841(a)(1), and 841(b)(1)(B); (3) adjudicate Defendant guilty of the lesser offense of the charge in Count One of the Indictment, that is of conspiracy to distribute and possess with intent to distribute five grams or more of methamphetamine (actual), a Schedule II controlled substance, in violation of 21 U.S.C. §§ 846, 841(a)(1), and 841(b)(1)(B); (4) defer a decision on whether to accept the amended plea agreement until sentencing; and (5) order that Defendant remain in custody until sentencing in this matter. (Doc. 52.) Neither party filed a timely objection to the report and recommendation. After reviewing the record, the Court agrees with the magistrate judge's report and recommendation. Accordingly, the Court **ACCEPTS** and **ADOPTS** the magistrate judge's report and recommendation (Doc. 52) pursuant to 28 U.S.C. § 636(b)(1) and **ORDERS**

as follows:

- (1) Defendant's motion to withdraw his not guilty plea to Count One of the Indictment is **GRANTED**;
- (2) Defendant's plea of guilty to the lesser offense of the charge in Count One of the Indictment, that is of conspiracy to distribute and possess with intent to distribute five grams or more of methamphetamine (actual), a Schedule II controlled substance, in violation of 21 U.S.C. §§ 846, 841(a)(1), and 841(b)(1)(B) is **ACCEPTED**;
- (3) Defendant is hereby **ADJUDGED** guilty of the lesser offense of the charge in Count One of the Indictment, that is of conspiracy to distribute and possess with intent to distribute five grams or more of methamphetamine (actual), a Schedule II controlled substance, in violation of 21 U.S.C. §§ 846, 841(a)(1), and 841(b)(1)(B);
- (4) A decision on whether to accept the amended plea agreement is **DEFERRED** until sentencing; and
- (5) Defendant **SHALL REMAIN** in custody until sentencing in this matter which is scheduled to take place on **July 15, 2016 at 9:00 a.m. [EASTERN]** before the undersigned.

SO ORDERED.

ENTER:

/s/Travis R. McDonough

**TRAVIS R. MCDONOUGH
UNITED STATES DISTRICT JUDGE**